

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1304
97TH GENERAL ASSEMBLY

Reported from the Committee on Jobs, Economic Development and Local Government, May 13, 2014, with recommendation that the Senate Committee Substitute do pass.

4703S.03C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 311.055 and 311.200, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor, with an effective date for a certain section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 311.055 and 311.200, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 311.055 and 311.200, to
3 read as follows:

311.055. 1. No person at least twenty-one years of age shall be required
2 to obtain a license to manufacture intoxicating liquor, as defined in section
3 311.020, for personal or family use. The aggregate amount of intoxicating liquor
4 manufactured per household shall not exceed two hundred gallons per calendar
5 year if there are two or more persons over the age of twenty-one years in such
6 household, or one hundred gallons per calendar year if there is only one person
7 over the age of twenty-one years in such household. Any intoxicating liquor
8 manufactured under this section [may] **shall** not be **sold or** offered for sale.

9 2. Beer brewed under this section may be removed from the premises
10 where brewed for personal or family use, including use at organized [affairs]
11 **events**, exhibitions, or competitions, such as home brewer contests, tastings, or
12 judging. The use may occur off licensed retail premises, on any premises under
13 a temporary retail license issued under sections 311.218, 311.482, 311.485,
14 311.486, or 311.487, or on any tax exempt organization's licensed premises as
15 described in section 311.090.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **3. Any beer brewed under this section used at an organized event**
17 **where an admission fee is paid for entry, at which the beer is available**
18 **without a separate charge, shall not be deemed a sale of beer, provided**
19 **that the person who brewed the beer receives none of the proceeds**
20 **from the admission fee and all consumption is conducted off licensed**
21 **retail premises, under the premises of a temporary retail license issued**
22 **under section 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax**
23 **exempt organization's licensed premises as described in section 311.090.**

 311.200. 1. No license shall be issued for the sale of intoxicating liquor
2 in the original package, not to be consumed upon the premises where sold, except
3 to a person engaged in, and to be used in connection with, the operation of one
4 or more of the following businesses: a drug store, a cigar and tobacco store, a
5 grocery store, a general merchandise store, a confectionery or delicatessen store,
6 nor to any such person who does not have and keep in his store a stock of goods
7 having a value according to invoices of at least one thousand dollars, exclusive of
8 fixtures and intoxicating liquors. Under such license, no intoxicating liquor shall
9 be consumed on the premises where sold nor shall any original package be opened
10 on the premises of the vendor except as otherwise provided in this law. For every
11 license for sale at retail in the original package, the licensee shall pay to the
12 director of revenue the sum of one hundred dollars per year.

13 2. For a permit authorizing the sale of malt liquor not in excess of five
14 percent by weight by grocers and other merchants and dealers in the original
15 package direct to consumers but not for resale, a fee of fifty dollars per year
16 payable to the director of the department of revenue shall be required. The
17 phrase "original package" shall be construed and held to refer to any package
18 containing ~~[three]~~ **one** or more standard bottles, **cans, or pouches** of
19 beer. Notwithstanding the provisions of section 311.290, any person licensed
20 pursuant to this subsection may also sell malt liquor at retail between the hours
21 of 9:00 a.m. and midnight on Sunday.

22 3. For every license issued for the sale of malt liquor at retail by drink for
23 consumption on the premises where sold, the licensee shall pay to the director of
24 revenue the sum of fifty dollars per year. Notwithstanding the provisions of
25 section 311.290, any person licensed pursuant to this subsection may also sell
26 malt liquor at retail between the hours of 9:00 a.m. and midnight on Sunday.

27 4. For every license issued for the sale of malt liquor and light wines
28 containing not in excess of fourteen percent of alcohol by weight made exclusively

29 from grapes, berries and other fruits and vegetables, at retail by the drink for
30 consumption on the premises where sold, the licensee shall pay to the director of
31 revenue the sum of fifty dollars per year.

32 5. For every license issued for the sale of all kinds of intoxicating liquor,
33 at retail by the drink for consumption on premises of the licensee, the licensee
34 shall pay to the director of revenue the sum of three hundred dollars per year,
35 which shall include the sale of intoxicating liquor in the original package.

36 6. For every license issued to any railroad company, railway sleeping car
37 company operated in this state, for sale of all kinds of intoxicating liquor, as
38 defined in this chapter, at retail for consumption on its dining cars, buffet cars
39 and observation cars, the sum of one hundred dollars per year. A duplicate of
40 such license shall be posted in every car where such beverage is sold or served,
41 for which the licensee shall pay a fee of one dollar for each duplicate license.

42 7. All applications for licenses shall be made upon such forms and in such
43 manner as the supervisor of alcohol and tobacco control shall prescribe. No
44 license shall be issued until the sum prescribed by this section for such license
45 shall be paid to the director of revenue.

Section B. The repeal and reenactment of section 311.200 of this act shall
2 take effect on January 1, 2015.

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